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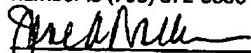
JUN 22 2004

OFFICIAL

PATENT

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being deposited via facsimile to Commissioner for Patents, Attention: Dameron L. Jones whose telephone number is (571) 272-0617 and fax number is (703) 872-9306 on


Jane A. Walker

June 22, 2004
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Achilefu et al.
Serial No.: 09/981,206
Filed: October 17, 2001
Group Art Unit: 1616
Confirmation No.: 5790
Examiner: Jones, Dameron
Title: CARBOCYANINE DYES FOR TANDEM, PHOTODIAGNOSTIC
AND THERAPEUTIC APPLICATIONS
Our Ref. No.: MRD-74

Cincinnati, OH 45202

June 22, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Applicant acknowledges the Interview Summary mailed June 26, 2004, in the above referenced application, referencing the June 8, 2004 Interview.

Applicants confirm that no response will be filed to the Office Action dated February 24, 2004, however, this is not to be construed as acquiescence to the

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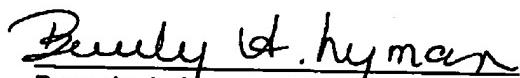
rejection, and applicants reserve the right to re-file the same or similar claims based upon an identical disclosure in a future co-pending application.

Applicants do not believe there is any fee due with this submission. However, if any fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to Deposit Account No. 23-3000.

The Examiner is invited to contact applicants' undersigned representative with any questions.

Respectfully submitted,

WOOD, HERRON & EVANS. L.L.P.


Beverly A. Lyman, Ph.D.
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